

I hereby certify that on March 4, 2003, this document is being deposited with United Parcel Service for express, overnight delivery in an envelope addressed to:

By: Kimberly F. Rich

CONCHITA FOODS, INC.,

Petitioner,

vs.

FRITOS ENCANTO DE MONTERREY,
S.A. DE C.V.,

Registrant

Cancellation No. 32,853
Registration No. 2,105,538

TO THE HONORABLE COMMISSIONER OF PATENTS & TRADEMARKS:

GENERAL DENIAL

Except as herein expressly admitted, FRITOS ENCANTO denies each and every allegation contained in the Petition for Cancellation.

SPECIFIC RESPONSES

1. FRITOS ENCANTO has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 1 of the Petition for Cancellation and, therefore, denies said allegations.

2. FRITOS ENCANTO has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 2 of the Petition for Cancellation and, therefore, denies said allegations.

3. FRITOS ENCANTO has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 3 of the Petition for Cancellation and, therefore, denies said allegations.

4. FRITOS ENCANTO has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 4 of the Petition for Cancellation and, therefore, denies said allegations.

5. FRITOS ENCANTO has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 5 of the Petition for Cancellation and, therefore, denies said allegations.

6. FRITOS ENCANTO denies the allegations set forth in Paragraph 6 of the Petition for Cancellation.

7. FRITOS ENCANTO denies the allegations set forth in Paragraph 7 of the Petition for Cancellation.

8. FRITOS ENCANTO has insufficient knowledge or information as to the truth of the allegations set forth in Paragraph 8 of the Petition for Cancellation and, therefore, denies said allegations.

AFFIRMATIVE DEFENSES

1. The Petition for Cancellation fails to state a claim upon which relief may be granted.

2. Each and every one of the purported claims in the Petition of Cancellation is barred by the doctrine of laches.

3. Each and every one of the purported claims in the Petition of Cancellation is barred by the doctrine of unclean hands.

4. Each and every one of the purported claims in the Petition of Cancellation is barred by the doctrine of estoppel.

5. Each and every one of the purported claims in the Petition of Cancellation is barred by the doctrine of acquiescence.

PRAYER FOR RELIEF

Registrant FRITOS ENCANTO denies that Petitioner CONCHITA FOODS is entitled to the relief requested. Registrant FRITOS ENCANTO respectfully prays that Registration No. 2,105,538 not be canceled or declared void.

Dated: March 4, 2003

Respectfully submitted,

BAKER & McKENZIE

By: 
Kimberly F. Rich

Cancellation No. 32,853
Registration No. 2,105,538

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ANSWER TO PETITION
FOR CANCELLATION

John G. Flaim
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ATTORNEYS FOR REGISTRANT
FRITOS ENCANTO DE MONTERREY,
S.A. de C.V.

Cancellation No. 32,853
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ANSWER TO PETITION
FOR CANCELLATION

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **ANSWER TO PETITION FOR CANCELLATION** was served on counsel for Petitioner, this 4th day of March, 2003, by sending same via United Parcel Service express, overnight service, postage prepaid to:

Jesus Sanchelima
Sanchelima & Associates, P.A.
235 S.W. Le Jeune Road
Miami, Florida 33134-1762



Kimberly F. Rich

dc

(3) Postcard.

A self-addressed return postcard in accordance with T.M.E.P. Section 703
itemizing all of the above referenced documents filed with the United States
Patent and Trademark Office.

Dated: March 4, 2003

Respectfully submitted,

BAKER & McKENZIE

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